

THE COMMISSIONERS OF ST. MICHAELS

OFFICE OF CODE ENFORCEMENT, PLANNING AND ZONING

SETTLED 1670-1680

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STAFF REPORT PREPARED BY:	Kymberly Kudla, Zoning Officer
DATE OF SKETCH REPORT PREPARATION:	June 4, 2021
DATE OF SKETCH PLAN REVIEW:	June 15, 2021
DATE OF TAC REVIEW:	August 5, 2021
DATE OF PRELIMINARY PLAN REVIEW:	November 16, 2021

GENERAL INFORMATION

OWNER/APPLICANT:	Chesapeake Bay Maritime Museum Inc.
REQUEST:	The applicant is requesting to construct a new 11,719 square foot multipurpose building and 41,324 square feet of additional parking and decks/hardscaping.
REVIEW:	Preliminary Plan review
LOCATION:	213 N Talbot Street – Fogg’s Landing (map 0200, parcel 1608)
ZONING CLASSIFICATION:	Maritime Museum (MM)
EXISTING LAND USE:	Museum
UTILITIES:	The parcel is currently served by municipal water and County Sewer. All other public or private utilities are available to the parcel. The Applicant will need to determine if existing utilities will need to be upgraded.
FACILITIES AND SERVICES:	<p>The St. Michaels Volunteer Fire Department and the St. Michaels Police Department currently provide emergency services and will continue to do so.</p> <p>The Town provides trash and recycling at a standard level to all properties.</p>

STAFF COMMENTS

**Critical Area Regulations – Intensely Developed Areas (IDAs)
§340-15(D)**

(1) Development activities shall be designed and implemented to minimize the destruction of forest and woodland vegetation

(2) Stormwater shall be addressed in accordance with the following provisions:

(a) All development and redevelopment activities shall include stormwater management technologies that reduce pollutant loadings by at least 10% below the level of pollution on the site prior to development or redevelopment as provided in the Critical Area 10% Rule Guidance Manual — Fall 2003 and as may be subsequently amended. —

Sketch Comments: *Concept Stormwater management report included to address 10% rule. Preliminary Plan needs to address issues with the 100' buffer line which doesn't appear complete on the sketch plan.*

Preliminary Comments: *100' buffer issues addressed. Plan will be provided to CAC for compliance review prior to final plan approval.*

Limited Development Area (LDA)

§340-17(C)(3)

Except as otherwise provided in this subsection, for stormwater runoff, lot coverage is limited to 15% of a lot or parcel or any portions of a lot or parcel that are designated limited development area. — *There is a total of 5.491 acres within the LDA. Existing lot coverage is 29,768 SF and proposed is 3,104 SF which would bring the total coverage to 13.7%.*

§340-17(C)(4)

The alteration of forest and developed woodlands shall be restricted and shall be mitigated as follows:

(a) The total acreage in the forest and developed woodlands within St. Michaels in the critical area shall be maintained or preferably increased.

(b) All forests and developed woodlands that are allowed to be cleared or developed shall be replaced in the critical area on not less than an equal area basis. —

Sketch Comments: *Will need to acknowledge the area of trees cleared and how it will be mitigated.*

Preliminary Comments: *57 trees to be removed. Landscaping plans show less trees for mitigation. Tree bank?*

§340-61 Maritime Museum

(A) Accessory Uses

5. Except as provided for by Subsection A(6), (11) and (12), sale of any article fabricated in or brought to a museum shall be made only through an indoor gift shop, outdoor booths, or the museum's visitors center. The maximum area of a museum devoted to the sale of goods (including display area, aisles, storage, and cashier area) in a museum shall not exceed 2,500 square feet. — *Proposed store is 1,407 SF.*

12. Sale of food and drinks for the enjoyment and convenience of visitors to a museum, other than as permitted by Subsection A(6) above, provided that all food is pre-packaged (i.e., not cooked/prepared on site) and the space for the sale of food and drinks does not exceed 600 square feet which area is included in the square footage permitted in Subsection A(5) above. —

Sketch Comments: Will the sale of food be moved to new location? Need to know if remaining in current location the square footage of that space.

Preliminary Comments: Interior plans of building not necessary for site plan but will need to be addressed for permitting.

(B) General standards and limitations. The uses permitted by Subsection A and § 340-55 shall be controlled by the following standards and limitations:

1. The maritime museum shall comply with the lot area, minimum lot size, building setback, minimum yard, maximum building height, and maximum lot coverage requirements for the MM District as outlined in § 340-104 and § 340-105 of this chapter.

Setbacks: Front -30'- Well beyond any front yard.

Side – 8' Aggregate of 20' – See 2(a)

Rear – 25' – Well beyond the 25' buffer management area.

Height: Maximum allowed height is 35'. Proposed structure will be under 35'.

Lot Coverage: Allowable lot coverage is 50%. Proposed total coverage is 40.5%.

Preliminary plan will need more detail in regards to the misc. areas to be removed from existing lot coverage.

2. Separation, screening, and buffering.

(a) The required minimum setback from any lot line bordering the MM District shall be 20 feet. –

Sketch Comments: Structures appear to be over 20' but the proposed setback needs to be shown.

Preliminary Comments: Setbacks from structure to property line shown on plan.

§340-81 Portable Storage Containers (PSC)

Per Code, PSCs cannot be used as accessory structures and can only be placed on a property on a temporary basis not to exceed 60 days unless extension granted. There is currently a nonconforming storage container located in the area of the proposed structure. Should this be moved it will lose the nonconforming status and cannot be placed elsewhere.

Parking

§340-145(B)(4) The following regulations shall apply to the A, R-1, R-2, R-3, WD, GC, MC, MM, RG, and PF Districts:

(a) No lot shall be developed, nor any structure thereon erected, structurally altered, or enlarged, nor any use thereon established, altered, added, expanded, intensified, or otherwise changed, unless the on-site parking requirement of the lot, as so developed and used, is met. –

Sketch Comments: 175 spaces are provided including 36 new spaces.

Preliminary Comments: 139 spaces as only concerned with this parcel. New parking lot has changed and will only have 34 spaces.

§340-146(A) Required Parking Ratio

1 space for per 400 square feet of gross floor area. – *Required parking of 61 spaces. Existing parking exceeds 61 spaces plus adding 34 spaces.*

§340-153 Onsite Parking Space Specifications

(A) Each on-site parking space shall be located on the lot toward whose minimum on-site parking requirement it is intended to apply. Except in the case of single-family or duplex dwellings, each on-site parking space shall have the minimum dimensions specified herein and shall have direct access from the maneuvering aisle. The maneuvering aisle for entering and exiting a parking space shall be in addition to the area of the parking space itself and shall have at least the width specified herein.

1. Parking space at an angle of 45° to the curb and maneuvering aisle. Each parking space shall be a rectangular area at least 8.5 feet wide perpendicular to the parking angle and at least 18 feet long. The maneuvering aisle shall be at least 15 feet wide. – ***Proposed parking area meets these requirements. Parking spaces changed to angled spaces.***

7. Parking areas shall have an all-weather surface, which includes, but is not limited to, asphalt, reinforced turf, clamshell, pavers, or gravel. Except in the case of single-family detached dwelling and duplex dwellings, each parking space shall be marked by painted lines on the surface of the parking lot or by parking bumpers. –

Sketch Comments: Need to address proposed material of parking area.

Preliminary Comments: Addressed on C-102 but states to TBD but also mentions asphalt in other locations.

8. No part of any parking space shall be closer than five feet to any lot frontage. Any lighting used to illuminate shall comply with the lighting requirements of § 340-181. – ***Will address lighting in section §340-181.***

9. Parking areas for more than five vehicles shall comply with the landscape requirements of Article XVI. – ***Landscaping addressed below.***

12. In all parking lots containing five or more parking spaces, wheel stops must be installed where necessary to prohibit vehicle overhang onto adjacent pedestrian ways or landscape areas. –

Sketch Comments: Must show required wheel stops on site plan.

Preliminary Comments: Wheel stops shown for handicap parking. New lot will have curbing.

13. Combination concrete curb and gutter or concrete barrier curbs are required around the perimeter of all parking lots containing five or more parking spaces and around all landscape islands and divider medians. The Zoning Inspector may approve alternatives to curb and gutter that comply with the town's best management practices for stormwater management. –

Sketch Comments: Must be addressed on site plan.

Preliminary Comments: Curbing around perimeter and peninsula.

(D) Bicycle parking.

1. Minimum requirements. Bicycle parking spaces must be provided per the minimum ratios established in Table 153D(1). The Planning Commission may waive or modify minimum bike parking requirements where it can be demonstrated that the requirement exceeds actual demand: 1 per 20 vehicle spaces

3. Location. Bicycle parking spaces must be in highly visible, illuminated areas that do not interfere with pedestrian movements. Bicycle parking spaces must be located within 100 feet of a customer entrance.

4. Design. Bicycle parking spaces must:

- (a) Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
- (b) Be of solid construction, resistant to rust, corrosion, and abuse;
- (c) Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
- (d) Be designed so as not to cause damage to the bicycle;
- (e) Facilitate easy locking without interference from or to adjacent bicycles; and
- (f) Have minimum dimensions of two feet in width by six feet in length, with a minimum over-head vertical clearance of seven feet.

Sketch Comments: Bicycle parking needs to be addressed on the site plan.

Preliminary Comments: Bicycle parking addressed.

§340-154 Accessible Parking for People with Disabilities

(A) The number, location, and design of accessible parking spaces for people with disabilities must be provided in accordance with this section and the Maryland Accessibility Code.

(B) Accessible spaces must be provided in accordance with Table 154B: 26 to 50 spaces provided requires 2 accessible spaces. ***Sketch Site Plan shows 2 accessible spaces provided.***

(D) Each accessible parking space, except on-street spaces, must be at least 16 feet in width, with either an eight-foot or five-foot wide diagonally striped access aisle. The access aisle may be located on either side of the vehicle portion of the accessible space. Abutting accessible parking spaces may not share a common access aisle. –

Sketch Comments: Site plan needs to show the dimensions of proposed spaces and cannot share common access aisle.

Preliminary Comments: Dimensions okay. Common access aisle meets required width for both spaces.

(E) Accessible parking spaces must be signed in compliance with applicable state law and must identify the current fine amount for violations. The sign must be fabricated to be two separate panels, one for the disability symbol and one for the current fine amount as established by the town.

Sketch Comments: Site plan shall show proper signage.

Preliminary Comments: Accessible signage addressed.

(F) Accessible parking spaces and accessible passenger loading zones that serve a building must be the spaces or zones located closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a building, parking spaces for disabled persons must be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility. – ***Located close to an access entrance.***

(G) The regulations of this section apply to required spaces and to spaces that are voluntarily designated for accessible parking.

§340-161 Permitted Signs

Sketch Comments: Site plan shall address any proposed signage within the requirements of this section.

Preliminary Comments: Any signage being proposed for on the building?

§340-178 Landscape Improvements

(C) Landscaping for parking lots, nonresidential, multifamily, or mixed-use developments.

1. Perimeter landscaping.

(a) A planting strip shall be provided at least eight feet wide adjacent to the back of any sidewalks or ten-foot wide adjacent to the property line where no sidewalk exists. Where the parking lot does not abut a property line or sidewalk, a ten-foot planting strip shall be provided.

(b) For parking lots not fronting on Talbot Street, each planting strip adjacent to a street right-of-way shall contain a minimum of one shade tree per 50 feet of landscape area parallel to the right-of-way, and two understory trees per 100 feet of planting strip parallel to the right-of-way. In addition to any required planting strip, a landscaped berm, fence, wall, or other methods to reduce the visual impact of the parking area shall be provided. The vegetative screen shall have an average continuous height of three feet at installation.

(e) Grass or ground cover shall be planted on all portions of the landscape area not occupied by other landscape material.

(f) All trees shall be set back at least four feet from the edge of paving where vehicles overhang.

2. Interior landscaping for parking lots.

(a) For any parking lot containing more than 6,000 square feet of area or 15 or more spaces, interior landscaping shall be provided in addition to required perimeter landscaping. Interior landscaping shall be contained in peninsulas or islands. An interior parking lot landscape island or peninsula is defined as a landscaped area containing a minimum area of 153 square feet, having a minimum width of 8.5 feet and a minimum length of 18 feet. There shall be a minimum of four feet to all trees from the edge of paving where vehicles overhang. Each island or peninsula shall be enclosed by appropriate curbing or a similar device at least six inches wide and six inches in height above the paving surface. The Planning Commission may modify these dimensional requirements for the installation of low impact, stormwater management features. For purposes of Subsection C(2)(d) below and subject to the limits established in Subsection C(2)(e) below, up to four islands can be combined.

(b) Where a parking area is altered or expanded to increase the size to 6,000 or more square feet of area or 15 or more vehicular parking spaces, interior landscaping for the entire parking area shall be provided to the maximum extent practicable as determined by the Planning Commission.

(c) Landscape area. The minimum interior landscape area permitted shall be 10% of the parking area. The interior landscaping requirement shall be computed based on the "net parking facility." For this section, "net parking facility" shall include parking stalls, access drives, aisles, walkways, dead spaces, and required separations from structures, but shall not include required street setbacks or access driveways or walkways within such setbacks.

(d) Landscape islands or peninsulas. All interior parking aisles shall end in a landscape island.

(e) Minimum plant materials. A minimum of one tree for every 250 square feet or fraction thereof of required landscape or each five spaces of required parking or for every 161 square feet of island or peninsula, whichever is greater, shall be required. The remaining area of the required landscaped area shall be landscaped with shrubs or ground cover not to exceed two feet in height or grass.

(f) Plan submission and approval. Whenever any property is affected by these parking area landscape requirements, the property owner or developer shall prepare a landscape plan for approval according to the requirements of § 340-174. –

Sketch Comments: A landscape plan shall be submitted that addresses all the applicable sections of §340-178 and §340-174.

Preliminary Comments: Landscaping addressed but still need Critical Area review.

3. The Planning Commission may consider alternative parking area landscaping design in cases where unique topography and site constraints dictate such alternatives. The innovative use of planting design and materials is encouraged and will be evaluated based on the intent demonstrated to fulfill the stated objectives of this chapter.

§340-179 Screening

(A) Applicability: features to be screened. When located on lots occupied by residential, nonresidential, or mixed uses, the following features must be screened from view of public rights-of-way, public open spaces and lots used or zoned for residential purposes, as specified in this section:

1. Ground-mounted mechanical equipment;
2. Roof-mounted mechanical equipment;
3. Refuse/recycling/grease containers; and
4. Outdoor storage of materials, supplies, and equipment.

(B) Ground-mounted mechanical equipment. All ground-mounted mechanical equipment over 30 inches in height must be screened from view by a fence, wall, dense hedge, or combination of such features providing at least 80% direct view blocking. The hedge, fence, or wall must be at least as tall as the tallest part of the equipment. The hedge must be this tall at the time of planting.

(D) Refuse/recycling containers. Refuse/recycling and similar containers must be located on an appropriately designed concrete or other paving material pad and apron. They must be screened from view of streets and all abutting lots with a wall or other screening material providing at least 80% direct visual screening at least six feet in height. Refuse/recycling containers may not be in street yards. Enclosure doors must be located and designed so that, to the maximum extent possible, they do not face an abutting property, sidewalk, or street. Residential dwellings utilizing curbside pickup service are exempt from these screening requirements.

(E) Outdoor storage of materials, supplies, and equipment. All stored materials, supplies, merchandise, vehicles, equipment, or other similar materials not on display for direct sale, rental or lease to the ultimate consumer or user must be screened by a fence, wall, dense hedge, or combination of such features with a minimum height of six feet at the time of installation.

Sketch Comments: Site plan needs to show any proposed mechanical/HVAC equipment locations, refuse/recycling containers, and outdoor storage. Must also show (in applicable) the screening as required above.

Preliminary Comments: HVAC equipment shown. Require screening?

§340-181 Site Lighting Standards

(A) Purpose. The purpose of this section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source. Concerning motor vehicles, safety considerations are the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public streetlighting.

(B) Site lighting shall be of low intensity from a concealed source, shall be of a clear white light which does not distort colors and shall not spill over into adjoining properties, buffers, roadways, or in any way interfere with the vision of oncoming motorists.

(D) Additional regulations. Notwithstanding any other provision of this section to the contrary:

1. No flickering or flashing lights shall be permitted.
2. Light sources or luminaires shall not be located within buffer areas except on pedestrian walkways.

(E) Exterior lighting plan. At the time any exterior light is installed or substantially modified, and whenever a zoning certificate is required, an exterior lighting plan is required.

(F) Photometric plans for all proposed commercial and industrial uses are required.

(G) Illumination levels attributable to a parking lot lighting system and any other outdoor lighting shall not exceed 0.5 horizontal footcandle at the property line when adjacent to a residential zoning district.

Sketch Comments: Shall submit lighting plan as required above.

Preliminary Comments: Still need a lighting plan.

Additional Comments:

Proposed project is not within the Historic District.

The project was reviewed by the Technical Advisory Committee (TAC). Will go back before Town Engineer, Public Works, and Critical area Staff for compliance review.

TAC/Preliminary Plan Review Staff Comments

Sheet G-102:

- Listed 175 spaces but we are only interested based on current code what is available on this parcel. Please adjust. *Adjusted – Only 139 spaces existing on parcel in question.*
- The square footage numbers on the plan aren't equaling the 12,521 SF used for required parking. Also the storage container numbers don't add up correctly. *Numbers adjusted.*

Sheet C-102:

- Signage for handicap parking seem far from parking spaces? – *No issues here.*
- #'s 28-31 location not shown on plan. – *Numbers a bit different from sketch pan but 4a, 4b, 4c, 5, 29-32 listed but not shown.*

C-103:

- #'s 11 and 12 repeated from sheet C-102 and again location not shown on plan. – *Numbers bit different but again items 7, 8, 9 are listed but not shown (also repeats of C-102's 29,30,32).*

General:

- *Still need lighting plan*
- G-102 and L-101 both have landscaping requirements listed. Due to amount of information better to keep to one area? - addressed
- *Silt Fence location not shown on plan.*
- Questionable buffer measurement – Why from middle of living shoreline? - *Fixed*

- Removing 69 trees but only show replacement of 55 trees. – *Now only removing 57 trees but still inconsistencies with mitigation?*
- I see street signage but my comment about signage referred to any other signage such as on the building. – *Mentioned earlier in report as well. Building signage being proposed?*

Fire Department Comments

- NFPA recommends that a hydrant be located within 100 feet of the FDC.

Stormwater Comments

- See attached comments from Rauch Engineering - *Will be provided to CAC for review before final review.*

Critical Area Comments

- See attached comments – *Will be provided to CAC for review before final review.*

Jeff – Public Works Comments

- Questions regarding the location of the water main. *Discussed during TAC and is waiting for more detail.* – *Provided to Public Works for review prior to final.*